Supreme Court of Canada

2012-13

Report on Plans and Priorities

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Minister of Justice and Attorney General of Canada

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Registrar's Message

I am pleased to present the 2012-2013 Report on Plans and Priorities for the Supreme Court of Canada.

The Supreme Court of Canada is Canada's final court of appeal. The independence of the Court, the quality of its work and the esteem in which it is held both in Canada and abroad contribute significantly as foundations for a secure, strong and democratic country founded on the Rule of Law.

The Office of the Registrar of the Supreme Court of Canada has a deep appreciation for the importance of the Court's role and focuses its efforts on a single strategic outcome, namely that 'the administration of Canada's final court of appeal is effective and independent'.

The core work of the Office continues to be the processing and management of cases brought to the Court. The decision-making environment continually evolves, thereby dictating new risks, challenges and opportunities.

In 2012-13, the Office of the Registrar will place a high priority on business transformation in order to improve electronic access to the Court's case files and information, the efficiency of court operations, as well as to ensure the long term preservation of Court data and information in an electronic format.

Ongoing initiatives also include enhancements to the Court's overall security services, as well as the planning of a proposed major refurbishment project for the aging infrastructure of the Supreme Court of Canada building.

I wish to conclude by thanking the entire staff of the Court for their continuing hard work and enthusiasm in serving the Court and Canadians with professionalism and a dedicated sense of purpose.

_____ _____

Roger Bilodeau, Q.C. Date

Section I: Organizational Overview

Raison d'être

The Supreme Court of Canada is Canada's final court of appeal. It serves Canadians by deciding legal issues of public importance, thereby contributing to the development of all branches of law applicable within Canada. The independence of the Court, the quality of its work and the esteem in which it is held both in Canada and abroad contribute significantly as foundations for a secure, strong and democratic country founded on the Rule of Law. In accordance with the *Supreme Court Act*, the Supreme Court of Canada consists of the Chief Justice and the eight puisne judges. The Supreme Court of Canada is an important national institution, positioned at the pinnacle of the judicial branch of Canada's government.

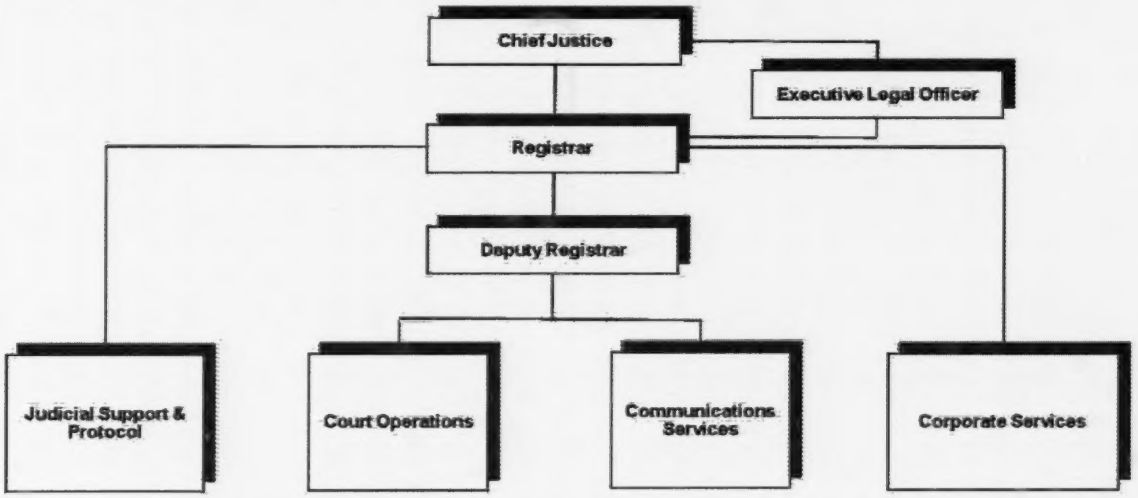
The Office of the Registrar of the Supreme Court of Canada provides all necessary services and support for the Court to process, hear and decide cases. It also serves as the interface between litigants and the Court. The focus of this report is on the priorities and activities of the Office of the Registrar of the Supreme Court of Canada.

More detailed information on the Court's responsibilities, the hearing process and judgments can be found on the Supreme Court of Canada website.

Responsibilities

The Supreme Court of Canada consists of the Chief Justice and eight puisne judges, all of whom are appointed by the Governor in Council. The Supreme Court of Canada hears appeals from the decisions of the highest courts of final resort of the provinces and territories, as well as from the Federal Court of Appeal and the Court Martial Appeal Court of Canada. In addition, the Court provides advisory opinions on questions referred to it by the Governor in Council. The importance of the Court's decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system. Its jurisdiction is derived from the *Supreme Court Act* and other Acts of Parliament, such as the *Criminal Code*.

The Registrar, also a Governor in Council appointee, reports to the Chief Justice and heads the Office of the Registrar of the Supreme Court of Canada. The organization of the Office of the Registrar is depicted in the following diagram and further explained in the paragraphs that follow.



Judicial Support and Protocol Sector: The Judicial Support and Protocol Sector is responsible for the delivery of all judicial support services to the Chief Justice of Canada and the eight puisne judges of the Supreme Court of Canada, including protocol and judges' dining room services, the development and delivery of integrated judicial support programs and services, judicial administration, as well as the judges' law clerk program.

Court Operations Sector: Composed of the Law Branch, Reports Branch, Registry Branch and Library and Information Management Branch, this sector is responsible for the planning, direction and provision of legal advice and operational support to the Supreme Court judges respecting all aspects of the case management process from the initial filing to the final judgment on an appeal. This includes processing and recording proceedings, scheduling of cases, legal and jurilinguistic services, legal research and library services, legal editing services and publication of the *Canada Supreme Court Reports*. The Registry is the point of contact between the Court and litigants and it provides information and services to counsel and litigants, including unrepresented litigants. Information management services, including case related and corporate records information, are also provided by the Sector.

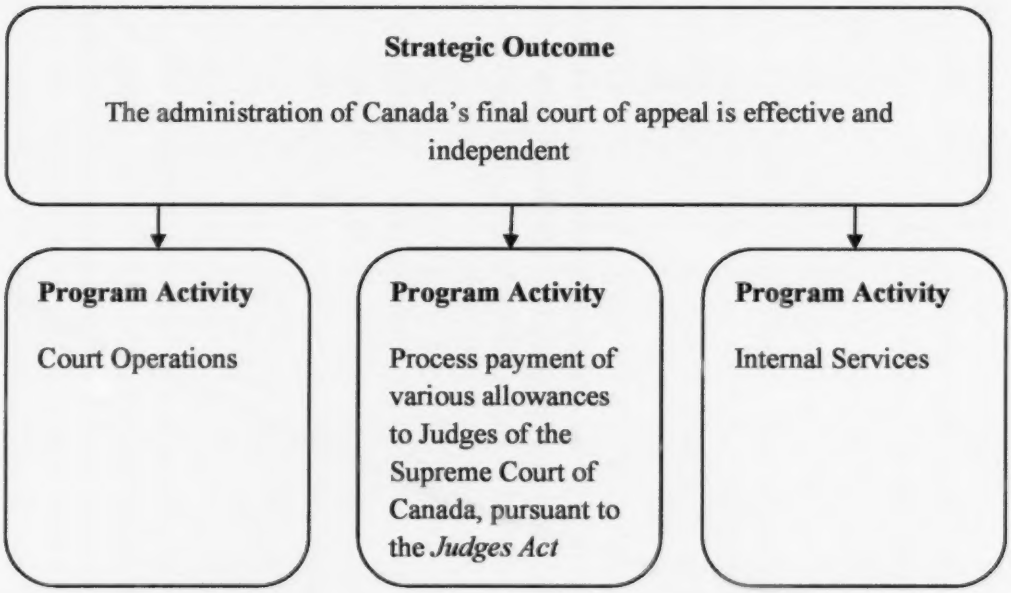
Communications Services Branch: The Communications Services Branch develops and implements communications strategies, plans and programs to increase public awareness and understanding of the Supreme Court of Canada, as well as to enhance internal communications within the Court.

Corporate Services Sector: The Corporate Services Sector is responsible for administrative support to the judges and staff including: human resources; strategic, business and resource planning; corporate reporting; risk management; finance; procurement; project management, and change management; enterprise-wide IT strategies, plans, policies, standards and procedures; the design, development and implementation of modern and innovative IT solutions;

accommodation; administration (telecommunications, mail and printing services); security; health and safety; emergency management and preparedness; and business continuity planning.

Strategic Outcome(s) and Program Activity Architecture (PAA)

The Office of the Registrar has a single strategic outcome: The administration of Canada's final court of appeal is effective and independent. The three activities contributing to this strategic outcome are: Court operations; Process payment of various allowances to Judges of the Supreme Court of Canada, pursuant to the *Judges Act*; and Internal services.


Strategic Outcome
The administration of Canada's final court of appeal is effective and independent
Program Activity
Court Operations
Program Activity
Process payment of various allowances to Judges of the Supreme Court of Canada, pursuant to the Judges Act
Program Activity
Internal Services

Organizational Priorities

The focus of the Office of the Registrar will continue to be the processing of cases without delay while maintaining stakeholder satisfaction and high standards of service. The Registrar's Five-Year Vision (2011-2016) is that judges and staff of the Supreme Court of Canada will be able to access and process all cases and case-related information electronically while the public and lawyers will be able to file and access case-related documents electronically. It is important for the Office of the Registrar to continue to be a leader in court administration and for it to maintain ongoing operations as it works toward that vision. This requires the best possible organizational structure, skilled staff and optimal utilization of resources.

The challenge will be to achieve that vision while responding to stakeholders' day-to-day expectations. That vision will also require changes to strengthen the Office's business processes and to make its operations more efficient. Change has its challenges, including securing appropriate resources to effect necessary changes. In the last few years, the Office of the Registrar has been able to work within its existing reference levels, but some sectors are seeing growing challenges in the quest to deliver current services while implementing change. As a result, internal reallocations may be required to allow necessary business changes, leading to the risk of affecting some services, thereby creating an additional challenge.

The operational priorities for the next 3 years (2012-2015) are: (i) Business transformation; (ii) Enhancing the security program to better meet the needs of the Court.

Operational Priorities	Type	Links to Strategic Outcome	Description
Business Transformation	Previously committed to	The administration of Canada's final court of appeal is effective and independent	**Why is this a priority?** Ensure that business processes and technology are in place to enable electronic processing of cases, allow parties to access case file documents, data and information online based on their entitlements, provide the public better access to court information online, enable litigants to file documents electronically through a secure portal, and protect and preserve historical information in an electronic format. **Plans for 2012-13** • Develop program management framework (e.g., governance, funding, program plan and timeline) • Develop concept design/architecture • Business process mapping and analysis of potential efficiencies • Define business, IM, IT capabilities needed to support new business processes • Assess impact on current business processes and IM/IT • Approve project priorities and sequencing • Develop project charters and work plans • Proceed with project implementation as per plan and timeline
Enhancing the security program to better meet the needs of the Court	Previously committed to	The administration of Canada's final court of appeal is effective and independent	**Why is this a priority?** Due to the sensitive nature of the Court's business and its high profile as the court of last resort in Canada's judicial branch of government, it is essential to enhance the Court's security program which has many components such as physical security, information technology security and business continuity planning. **Plans for 2012-13** • Prioritize security gaps and weaknesses • Assess delivery model options • Review security program governance to clarify roles and responsibilities • Review policies, procedures and practices • Develop business case • Update Security Action Plan

Risk Analysis

The Office of the Registrar is committed to the implementation of Integrated Risk Management to align with the Treasury Board Secretariat (TBS) Framework, but also as a key component to the efficient and effective delivery of its strategic objectives. Accordingly, the Office of the Registrar has put in place a Policy on Integrated Risk Management, and updates its Corporate Risk Profile on an annual basis.

Key Risks

The Office of the Registrar is faced with both operational and reputational risks. The most significant risks and key mitigation strategies are included in the table below. These include security, aging information technology systems, and infrastructure failure within the building.

Description of Risk	Key Mitigation Strategies
• **IT Security (Cyber threats):** Unintentional or unauthorized access, use, manipulation, interruption or destruction (via electronic means) of electronic information held by the Court and the electronic and physical infrastructure used to process, communicate and/or store that information. Risk to the security and confidentiality of judicial information and data.	• IT security action plans • IT security awareness plans/ staff awareness • Periodic Vulnerability Assessment and Penetration Testing
• **Security (persons, building, information, infrastructure):** Threats to the safety of Judges, staff or visitors, and to the security of the building, information and infrastructure. Balancing security measures required for the protection of judges, staff and visitors with the principles of open court (the Supreme Court of Canada building is a high volume tourism destination).	• Security governance structure • Security Action Plan • Security Risk Register (in preparation) • Policies and procedures under development • Security audits/ threat and risk assessments • Business Continuity Plan • Staff awareness
• **Aging Legacy IT Systems and Applications:** Failure of aging legacy systems and applications, such as Case Management System (CMS), as evidenced by system downtime or failure, flexibility of systems to handle new requirements or integrate with newer products, lack of ability of SCC staff to address technical issues and to interface systems and data, and systems becoming obsolete and unmanageable if SCC waits too long to redesign and port to new platform.	• Threat and risk assessments • Back-up service provided by PWGSC • In-house expertise available to support CMS and operational systems • Access to experts to repair equipment • Investment Plan (capital replacement) • Business Continuity Planning • Ongoing maintenance of systems and equipment/ systematic checks
• **Infrastructure Failure within Building:** The Supreme Court of Canada building is aging, and consequently there is a growing risk of infrastructure and building systems failure as a result of continuing property deterioration.	• Working with Public Works and Government Services Canada (PWGSC) to begin a major building rehabilitation project • PWGSC space / accommodation audits • Business Continuity Plan

Planning Summary

Financial Resources ($ millions)

2012–13	2013–14	2014–15
29.8	30.2	30.5

Human Resources (Full-Time Equivalent—FTE)

2012–13	2013–14	2014–15
214	214	214

Strategic Outcome: The administration of Canada's final court of appeal is effective and independent

Performance Indicators	Targets
Level of satisfaction among judges regarding quality of service	Target "satisfied" level
Level of satisfaction among lawyers regarding quality of service	Target "satisfied" level

Planning Summary Table

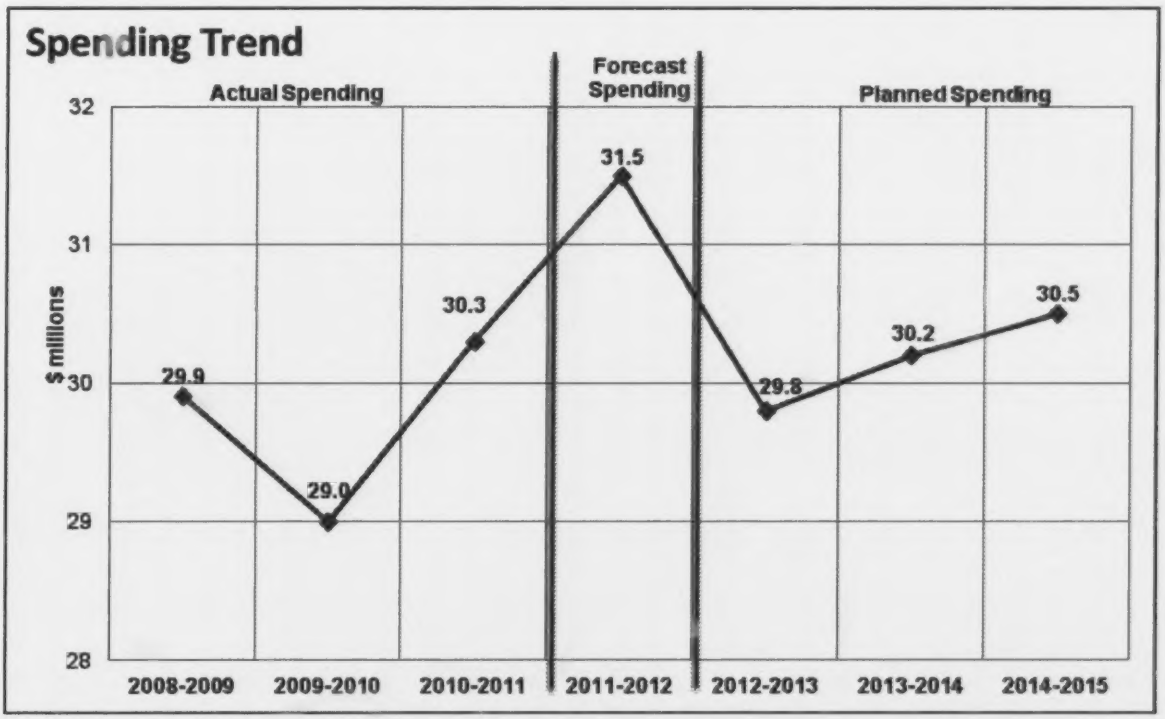
Program Activity	Forecast Spending 2011–12	Planned Spending			Alignment to Government of Canada Outcomes
		2012–13	2013–14	2014–15	
Court Operations	15.6	15.8	15.8	15.8	Strong and independent democratic institutions
Process payment of various allowances to Judges of the Supreme Court of Canada, pursuant to the *Judges Act*	5.7	5.7	6.1	6.4	Strong and independent democratic institutions
Total Planned Spending		21.5	21.9	22.2	

Planning Summary Table

Program Activity	Forecast Spending 2011–12	Planned Spending		
		2012–13	2013–14	2014–15
Internal Services	10.2	8.3	8.3	8.3
Total Planned Spending		8.3	8.3	8.3

Expenditure Profile

Departmental Spending Trend



For 2012-13, the Office of the Registrar plans to spend $31.5 million to meet the expected results of its program activities and to contribute to its strategic outcome. The actual spending has varied slightly between 2008-09 and 2010-11, with higher spending noted in 2008-09 and 2010-11. The increase is due to a large retroactive salary settlement for a collective agreement, higher severance costs and general increases to overall personnel costs in 2010-11. The fiscal year 2008-09 marked the last year that the Supreme Court of Canada received additional funding for the modernization of its courtroom. The forecasts spending for 2011-12 show an increase due to higher amounts for immediate settlement of severance pay compared to previous years. The planned spending for the next three fiscal years is expected to remain close to the Office of the Registrar reference levels.

Estimates by Vote

For information on the office of the Registrar's vote and/or statutory expenditures, please see the 2012–13 Main Estimates publication.

Section II: Analysis of Program Activities by Strategic Outcome(s)

Strategic Outcome

The administration of Canada's final court of appeal is effective and independent.

Program Activity: Court Operations

Program Activity Descriptions

In order to render decisions, the Court requires the support of the Office of the Registrar in the management of cases from the receipt of an application for leave to appeal up to and including the release of a judgment on appeal. This support includes providing services to the litigants; reviewing applications for leave to appeal and preparing advice as to whether leave to appeal should be granted; preparing summaries of the leave applications; providing procedural advice; reviewing and summarizing factums where leave to appeal is granted; receiving, controlling and preserving all incoming case documentation; tracking various time periods to ensure compliance by the parties with the Rules of the Supreme Court of Canada; recording proceedings on appeals; answering queries with regard to cases; editing and summarizing decisions of the Court; publishing decisions in the Supreme Court Reports, in accordance with the *Supreme Court Act*; and providing law library services with an extensive collection in both print and electronic formats to support legal research undertaken by users within the Court and members of the legal community.

Financial Resources ($ millions)

2012–13	2013–14	2014–15
15.8	15.8	15.8

Human Resources (Full-Time Equivalent—FTE)

2012–13	2013–14	2014–15
145	145	145

Program Activity Expected Results	Performance Indicators	Targets
Cases processed without delay	• Number of weeks between filing of application for leave and decision on application for leave	14 weeks
	• Number of months between hearing and judgment	6 months
Access to Court services and information	• % of lawyers and unrepresented litigants that were "satisfied" or "very satisfied" with Registry Services	95%
Courtroom systems reliability	• Number of hearing disruptions for technical reasons per year	0
Access to reference information	• % of factual/bibliographic requests for reference assistance responded to within service standard of 1 working day	95%
	• % of complex/substantive requests for reference assistance responded to by date required by client	95%
	• % of users that were "satisfied" or "very satisfied" with library services	95%
	• % of citations in judgments that are in the collection	85%

Planning Highlights

The Supreme Court has consistently met its performance targets in the areas of processing of cases without delay, providing effective access to Court services and programs, including reference information, and providing reliable courtroom services. At the same time, the Office of the Registrar has maintained stakeholder satisfaction and high standards of service quality. In 2011-12, the Office of the Registrar concentrated its efforts on improving information management and launching its Business Transformation program. During the coming fiscal year, a sustained focus on the Court's Business Transformation Program will move the Court towards increased electronic access and processing of cases, more effective and efficient work processes, and the protection and preservation of historical information in electronic format. Electronic records management will be investigated as a core foundation of business transformation. Business process mapping will look at current processes and will identify workflows which may be streamlined or made more efficient through the introduction of new technologies.

Workload projections for 2012	
Category	Projected workload
Leave applications filed	550
Leave applications submitted to the Court	550
Appeals as of right filed	10
Appeals heard	70
Judgments	70
Publication of *Canada Supreme Court Reports*	3 Volumes

Program Activity: Process payment of various allowances to Judges of the Supreme Court of Canada Pursuant to the *Judges* Act

Program Activity Descriptions

The *Judges Act* is an Act respecting all federally appointed judges, and thereby applies to the judges of the Supreme Court of Canada. With respect to the Office of the Registrar of the Supreme Court the *Judges Act* specifies the salaries of the Supreme Court judges, and prescribes other payments to be made to judges, namely allowances, removal, meeting, conference and seminars and annuities. The Office of the Registrar processes these payments as required in the *Judges Act*.

Financial Resources ($ millions)

2012–13	2013–14	2014–15
5.7	6.1	6.4

Human Resources (Full-Time Equivalent-FTE)

2012–13	2013–14	2014–15
0	0	0

Note: No FTEs are assigned to this program activity because it relates to Judges who are not considered in the Supreme Court FTEs total

Program Activity Expected Results	Performance Indicators	Targets
Timely and accurate processing of payments	• % of payments processed within service standards	95%
	• % of errors on payments	2%

Planning Highlights

The timeliness for various payments to the judges is assessed internally through maintenance of receipt and processing dates for individual claims. To assess accuracy, an independent organization was engaged to conduct a files review in 2010-11. While the review concluded that the error rate on a dollar value basis was within target, it also identified some opportunities to change processes to further improve results. The Office of the Registrar has implemented targets of 95% for the timely processing of payments pursuant to the *Judges Act* within the service standards of five days and of 2% in errors on the accuracy of the payment of these claims.

Program Activity: Internal Services

Program Activity Descriptions

The Internal Services Program Activity supports all strategic outcomes and is common across government. Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Material Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not to those provided specifically to a program.

Financial Resources ($ millions)

2012–13	2013–14	2014–15
8.3	8.3	8.3

Human Resources (Full-Time Equivalent—FTE)

2012–13	2013–14	2014–15
69	69	69

Planning Highlights

Internal services support the Court by providing timely and responsive services that are effective and efficient as per established service standards. Some key initiatives planned for 2012-13 are:

- Assess the delivery of the security program, including delivery model options, the governance model, policies, procedures and practices, and training and awareness.
- Continue to strive for better integration of financial and non-financial information (e.g., HR, court operations) at all levels of the organization so as to strengthen planning and reporting.
- Collaborate with PWGSC in the delivery of a functional program regarding the SCC's propose building rehabilitation project.
- Focus Human Resources (HR) efforts on knowledge transfer/ succession planning, change management and HR support, in particular:
  - Renew efforts to replace employees who are leaving because of retirement or moving on to a position in a different organization, and implement a knowledge transfer and learning strategy that will help develop the next generation of key employees. Adequate provision must also be made for back-up of staff.
  - Continue to develop change management skills and competencies needed to implement major business transformation, and develop better ways of engaging all staff in business process and change initiatives.
  - Clarify the role of human resources in supporting managers, with a particular emphasis on improving and streamlining hiring approaches.
- The IT Branch is an integral part of the Court's business as a partner and enabler. Priorities for 2012-13 include:
  - Assist Court Operations in its business transformation objectives.
  - Prepare for the upgrade of key legacy applications (e.g., case management system).
  - Strive for greater interoperability between new and older systems, and focus on getting the most out of the investments made in technologies over the last few years.
- The Library and Information Management Branch supports the information management needs of the organization. Priorities for 2012-13 include:
  - Completing the migration of documents on the various shared drives into a new drive structure mapped to the SCC's File Classification Plan, and applying retention and disposition to legacy electronic records.
  - Preparing for the implementation of an electronic records management systems; and
  - Ensuring that the Office of the Registrar is able to meet its obligations under Recordkeeping Directive.

Section III: Supplementary Information

Financial Highlights

Future-Oriented

Condensed Statement of Operations

For the Year (ended March 31)

($ millions)

	$ Change	**Future-Oriented 2012-13**	**Future-Oriented 2011-12**
Total Expenses	(0.4)	40.7	41.1
Total Revenues	0	0.2	0.2
Net Cost of Operations	(0.4)	40.5	40.9

The future-oriented financial highlights presented within this Report on Plans and Priorities are intended to serve as a general overview of the Office of the Registrar's operations and its financial situation. These future-oriented financial highlights are prepared on an accrual basis to strengthen accountability as well as to improve transparency and financial management.

Condensed Statement of Financial Position

For the Year (ended March 31)

($ millions)

	$ Change	Future-Oriented 2012-13	Future-Oriented 2011-12
Total assets	(1.1)	5.3	6.4
Total liabilities	0.2	6.5	6.3
Equity	(1.3)	(1.2)	0.1
Total	(1.1)	5.3	6.4

Future-Oriented Financial Statements

The future-oriented financial statements can be found on the Supreme Court of Canada website.

List of Supplementary Information Tables

All electronic supplementary information tables found in the *2012–13 Reports on Plans and Priorities* can be found on the Treasury Board of Canada Secretariat website.

- Sources of Respendable and Non-Respendable Revenue;
- Summary of Capital Spending by Program Activity;
- Upcoming Internal Audits over the next three fiscal years;
- Greening Government Operations;

Section IV: Other Items of Interest

Organizational Contact Information

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Listing of Statutory and Departmental Reports

Supreme Court Reports

Pursuant to section 17 of the *Supreme Court Act*, the Registrar or the Deputy Registrar, as the Chief Justice directs, is responsible for the publication of the judgments of the Court in the *Canada Supreme Court Reports*, which include all the reasons for judgment rendered by the Court in a given calendar year.

Legislation Administered

Supreme Court Act	R.S.C. 1985, C.S-26 as amended
Judges Act	R.S.C. 1985, C.J-1 as amended